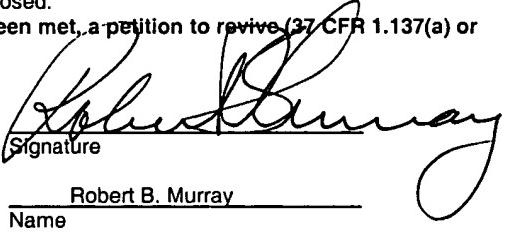


FORM PTO-1390	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No.
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		2923-720
		U.S. Application No. (if known)
		10/542,601
INTERNATIONAL APPLICATION NO. PCT/EP2004/00313	INTERNATIONAL FILING DATE January 16, 2004	PRIORITY DATE CLAIMED January 17, 2003
TITLE OF INVENTION SILICONE/GRAFITE SAMPLE HOLDER		
APPLICANT(S) FOR DO/EO/US Thomas FRANZ		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. [ ] This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371</p> <p>2. [ X ] This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. [ ] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. [ ] The US has been elected (Article 31).</p> <p>5. [ ] A copy of the International Application as filed (35 U.S.C. 371(c)(2))        a. [ ] is attached hereto (required only if not communicated by the International Bureau).        b. [ ] has been communicated by the International Bureau.        c. [ ] is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. [ ] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).        a. [ ] is attached hereto.        b. [ ] has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. [ ] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))        a. [ ] are attached hereto (required only if not communicated by the International Bureau).        b. [ ] have been communicated by the International Bureau.        c. [ ] have not been made; however, the time limit for making such amendments has NOT expired.        d. [ ] have not been made and will not be made.</p> <p>8. [ ] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. [ X ] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. [ ] An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<b>ITEMS 11. TO 20. below concern other document(s) or information included:</b>		
<p>11. [ X ] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. [ ] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. [ ] A preliminary amendment.</p> <p>14. [ ] An Application Data Sheet under 37 CFR 1.76.</p> <p>15. [ ] A substitute specification.</p> <p>16. [ ] A power of attorney and/or change of address letter.</p> <p>17. [ ] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825</p> <p>18. [ ] A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. [ ] A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

U.S. APPLICATION NO. (if known) 10/542,601		INTERNATIONAL APPLICATION NO. PCT/EP2004/000313		ATTORNEY DOCKET NO. 2923-720	
20. <input checked="" type="checkbox"/> Other items or information: Copy of Notification of Missing Requirements, PCT/ISA/220, PCT/ISA/210, PCT/IB/326, PCT/ISA/237					
21. The following fees are submitted:				<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
<input type="checkbox"/> Basic National Fee ..... \$300.00				\$	
22. <input type="checkbox"/> Examination Fee If the written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations ..... \$200.00				\$	
23. <input type="checkbox"/> Search Fee If the written opinion of the ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority ..... \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400.00 All other situations..... \$500.00				\$	
TOTAL OF 21, 22 AND 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.				\$	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate		
- 100 =	/ 50 =		x 250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 130	
Claims	Number Filed	Number Extra	Rate		
Total Claims	13 -20 =		X \$50.00	\$	
Independent Claims	4 - 3 =	1	X \$200.00	\$	
Multiple dependent claim(s) (if applicable)				+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 130	
<input type="checkbox"/> Applicant claims small entity status. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 130	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$	
TOTAL NATIONAL FEE =				\$ 130	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$	
TOTAL FEES ENCLOSED =				\$ 130	
03/07/2006 MKAYPAGH 00000093 022135 10542601 01 FC:1017 130.00 DA				Amount to be refunded	\$
				Amount to be charged	\$

U.S. APPLICATION NO. (If known) 10/542,601	INTERNATIONAL APPLICATION NO. PCT/EP2004/000313	ATTORNEY DOCKET NO. 2923-720
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$ <u>130</u> to cover the above filing fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>		
<p>SEND ALL CORRESPONDENCE TO:  <b>Customer No. 06449</b>  <b>Rothwell, Figg, Ernst &amp; Manbeck</b>  <b>1425 K St., N.W.</b>  <b>Washington, D.C. 20005</b>  <b>Phone: 202/783-6040</b></p>		
 <p>Signature  <u>Robert B. Murray</u>  Name</p>		
<p><u>22,980</u>  Registration Number</p>		



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/542,601	Thomas Franz	2923-720
INTERNATIONAL APPLICATION NO.		
PCT/EP04/00313		
I.A. FILING DATE	PRIORITY DATE	
01/16/2004	01/17/2003	
CONFIRMATION NO. 7285		
371 FORMALITIES LETTER		
 *OC000000018041717*		

Date Mailed: 02/14/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/18/2005
- Request for Immediate Examination filed on 07/18/2005
- U.S. Basic National Fees filed on 07/18/2005
- Priority Documents filed on 07/18/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

Additionally the following defects have been observed:

RECEIVED/FACILITIES  
 ROTHWELL FIGG ERNST & MANBECK  
 FILE NO. 2923-720  
 FAC PROC. INIT.

W FEB 21 2006

RBM

- The International Search Report has not been supplied, the Search Fee has been adjusted to reflect this omission.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

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Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/542,601	PCT/EP04/00313	2923-720

FORM PCT/DO/EO/905 (371 Formalities Notice)